

1 Dennis L. Kennedy  
Nevada Bar No. 1462  
Sarah E. Harmon  
2 Nevada Bar No. 8106  
BAILEY ❖ KENNEDY  
3 8984 Spanish Ridge Avenue  
Las Vegas, Nevada 89148-1302  
4 Telephone: (702) 562-8820  
Facsimile: (702) 562-8821  
5 [dkennedy@baileykennedy.com](mailto:dkennedy@baileykennedy.com)  
[sharmon@baileykennedy.com](mailto:sharmon@baileykennedy.com)

6 Mary Beth Forshaw (*pro hac vice*)  
7 SIMPSON THACHER & BARTLETT LLP  
425 Lexington Avenue  
8 New York, New York 10017  
Telephone: (212) 455-2000  
9 Facsimile: (212) 455-2502  
[mforshaw@stblaw.com](mailto:mforshaw@stblaw.com)

10 Deborah L. Stein (*pro hac vice*)  
11 SIMPSON THACHER & BARTLETT LLP  
1999 Avenue of the Stars, 29th Floor  
12 Los Angeles, California 90067  
Telephone: (310) 407-7500  
13 Facsimile: (310) 407-7502  
[dstein@stblaw.com](mailto:dstein@stblaw.com)

14 Attorneys for Defendant NATIONAL FIRE &  
15 MARINE INSURANCE COMPANY

16 **UNITED STATES DISTRICT COURT**  
17 **DISTRICT OF NEVADA**

18 ASSURANCE COMPANY OF AMERICA;  
MARYLAND CASUALTY COMPANY;  
19 NORTHERN INSURANCE COMPANY OF  
NEW YORK; ZURICH SPECIALTIES  
LONDON; ZURICH AMERICAN  
20 INSURANCE COMPANY; and STEADFAST  
INSURANCE COMPANY,

21 Plaintiffs,

22 v.

23 NATIONAL FIRE & MARINE INSURANCE  
COMPANY,

24 Defendant.  
25

Case No. 2:09-cv-01182-JCM-PAL

**DEFENDANT NATIONAL FIRE &  
MARINE INSURANCE COMPANY'S  
REQUEST FOR EXCEPTION FROM  
ORDER SCHEDULING SETTLEMENT  
CONFERENCE AND [PROPOSED]  
ORDER**

**REQUEST FOR EXCEPTION**

Pursuant to the Court's September 15, 2011 Order Scheduling a Settlement Conference (Dkt. No. 126), National Fire will be sending to the December 15 settlement conference a representative with binding settlement authority along with co-lead trial counsel, Mary Beth Forshaw and Deborah L. Stein. National Fire respectfully requests that counsel from Bailey Kennedy be excused from attending given that two other attorneys will be participating in the conference.

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

1 Dated: December 8, 2011

2 BAILEY ♦ KENNEDY

3 By: /s/ Sarah E. Harmon  
4 Dennis L. Kennedy  
5 Nevada Bar No. 1462  
6 Sarah E. Harmon  
7 Nevada Bar No. 8106  
8 8984 Spanish Ridge Avenue  
9 Las Vegas, Nevada 89148-1302  
10 Telephone: (702) 562-8820  
11 Facsimile: (702) 562-8821  
12 [dkennedy@baileykennedy.com](mailto:dkennedy@baileykennedy.com)  
13 [sharmon@baileykennedy.com](mailto:sharmon@baileykennedy.com)

14 -and-

15 SIMPSON THACHER & BARTLETT LLP  
16 Mary Beth Forshaw (*pro hac vice*)  
17 425 Lexington Avenue  
18 New York, New York 10017  
19 Telephone: (212) 455-2000  
20 Facsimile: (212) 455-2502  
21 [mforshaw@stblaw.com](mailto:mforshaw@stblaw.com)


22 Deborah L. Stein (*pro hac vice*)  
23 1999 Avenue of the Stars, 29th Floor  
24 Los Angeles, California 90067  
25 Telephone: (310) 407-7500  
Facsimile: (310) 407-7502  
[dstein@stblaw.com](mailto:dstein@stblaw.com)

Attorneys for Defendant National Fire &  
Marine Insurance Company

21 **[PROPOSED] ORDER**

22 The request for an exception is granted.

23 IT IS HEREBY ORDERED this 36<sup>th</sup> day of February, 2011.

24   
25 United States Magistrate Judge